

MISS GOULD COMING



Miss Helen Gould, of New York, who is traveling through Virginia with an automobile party, is expected to arrive in the city today. A suite of rooms has been reserved for her party at the Jefferson Hotel.

IF SECTION IS VOID IT OPENS NEAR-BEER GATE

Speaker Byrd Says State Can't Regulate Traffic Without Holding Law Intact.

GOES TO SUPREME COURT

Man Convicted Takes Appeal, Case Involving Vital Point in Statute.

While disclaiming responsibility for section 231-2 of the Byrd law, which undertakes to restrict the sale of non-intoxicating and harmless beverages, and which provides that malt beverages must be manufactured by a person having a brewer's license, Speaker Richard Evelyn Byrd, of the House of Delegates, declared yesterday that if the Supreme Court holds the section unconstitutional, the Legislature cannot regulate the traffic of so-called near-beer, and that the sale of these liquids may be used as a blind by dealers in actual intoxicants.

Section 231-2 was interpolated bodily by the Senate in the bill as it passed the House.

Shipped to Dry Territory.

"I have for some time been in attendance upon the Circuit Court of Frederick county and the Corporation Court of the city of Winchester," said Speaker Byrd. "Some interesting matters came before the courts. A man named Patterson has the only distillery in Frederick county, which is a no-license county. He was prosecuted for selling brandy and other liquors in the western Virginia, under sections 15 and 16 of the Byrd law.

"These sections provide that where a distillery is located in a local option or no-license territory, the distiller can only sell for delivery to a common carrier, to be transported to a place where intoxicants can be legally sold. Under the advice of his attorney, Mr. R. T. Barton, pleaded guilty and was fined \$50.

"This is the first case involving this particular provision of which I have been informed."

Sold His Own Liquor.

"A man named Sagar, who lives in the extreme western part of the county, was indicted for selling liquor of his own manufacture. The indictment contained sixteen counts. He pleaded guilty and Judge Harrison fined him \$1,000, sentenced him to the penitentiary for six months and ordered that he work his term out on the roads. Sagar is an able-bodied outlaw, and under proper discipline will make a good hand.

The most interesting case was argued during my absence from Winchester. A man named Henry was warranted for a violation of section 231-2 of the Byrd bill. He was convicted, and took an appeal to the Corporation Court of the city of Winchester.

"Pending this appeal Henry sued out a writ of habeas corpus from Judge Harrison, of the Circuit Court. The case was argued by Senator Ward and prosecuting Attorney Rea for the State, and by R. T. Barton, of Winchester, and L. O. Wendland, of Richmond, for the defendant. The ground set up by the defense is that section 231-2 is unconstitutional, because the Legislature cannot undertake to restrict the sale of a non-intoxicating harmless beverage, and because it only permits 'malt beverage' to be manufactured by a person having a brewer's license.

Has Far-Reaching Effect.

"Personally I disclaim any responsibility for section 231-2. It was interpolated bodily by the Senate into the bill as it passed the House.

"The danger is that if section 231-2 is declared unconstitutional, it means that the Legislature cannot regulate the traffic in the so-called near-beers, and that the sale of these liquids may be used as a blind by dealers in actual intoxicants.

"I, of course, have no knowledge as to how Judge Harrison will decide the case, but I assume that in any event the matter will go to the Supreme Court. Section 231-2 could be cut out without interfering with the fabric of the bill, except to the extent above stated.

"I have been for some time constantly busied with my professional engagements, and will be for a week longer, but I hope to be able to make some speeches for Bryan, in whose success I am greatly interested."

GREATER PROFITS OVER LAST YEAR

State Fair Receipts Will Show Increase of 25 Per Cent., Says Lloyd.

MANY FAITHFUL WORKERS

Success of Week Due to Committee Members—Exhibitors Will Return.

All was quiet at the Fair Grounds yesterday—as quiet as the grave, compared with the unquiet activity of the past week. The great inclosure looked very much like the abandoned camp of an army, with here and there a lone straggler, who would soon strike his camp and start after the vanguard. Along the entire length of the Midway there was nothing to tell the tale of a week's hilarity save a few stakes where the tents were pitched and several inches of dust powdered fine by the tramp of a thousand feet.

One or two stalls in the cattle buildings were still occupied by the stock of belated exhibitors, and a few of the race-horses spent a day of rest after six of great activity.

Those, however, who most appreciated the day were the men who had the show in charge, a number of whom had worked through the week with only a few hours of rest at night. Among them was General Manager Mark R. Lloyd, who spent the whole time there.

Twenty-five Per Cent. Greater.

Figures showing what was actually accomplished by the Virginia State Fair, the number of people who passed through the gates and, incidentally, how far in every respect it was ahead of that of last year, cannot be prepared for several days. The statistics must be taken from a great mass of books and sheets, which so far have not been touched. The entire corps, together with several additional clerks will go into the work early this morning. It is hardly possible, Mr. Lloyd said last night, that the full returns can be got together in less than three days.

Speaking approximately, Mr. Lloyd said that the attendance on each day of the week was far above that of the corresponding day of last year, while that on Richmond Day broke all records.

The net receipts are greater, while the indications are now that the expenses will be far less comparatively. He is confident that the final figures will show an increase in every respect a net increase of more than 25 per cent.

Men Who Worked Hard.

In a measure, greater than the general public is aware, the success of this year's fair is due to the efforts of the committee members, who labored unceasingly for its success many months before the gates were opened. Through the strenuous six days they were all ways on the grounds, doing everything possible that things might move smoothly and that the thousands of visitors might receive a fitting welcome and get their money's worth. Among the most active of these were Mr. Henry C. Stuart, who besides being president was chairman of the live stock committee; Mr. Samuel Cohen, chairman of the grounds and buildings committee; Mr. M. C. Patterson, of the live stock committee; Mr. L. O. Miller, chairman of the advertising committee; Mr. J. T. Anderson, chairman of the executive and race committees; Mr. Leigh R. Page, a member of the race and executive committees; Mr. J. G. Corley, and many others.

Best of All in the South.

Tributes to the fair are continually coming in from the most flattering sources. Several men who saw the Syracuse fair, which is said to be the best in the East, told Mr. Lloyd yesterday that the machinery and live stock exhibits were superior to Syracuse, and that the whole was but little short of the best in the country. Two of these men acted as judges at the Syracuse live stock exhibit. Another excellent indication that the State Fair will live and be better and better each year is the fact that many of those who conducted shows on the Midway, before leaving Saturday night, went to Mr. Lloyd and offered to pay a large amount to have their concessions held until next year. These men follow State fairs all over the East, and are rarely wrong in their plans.

The total number of passengers carried to the fair grounds by the street car company during five days of last week was 75,528, as against 42,683 carried for the same period last year.

The fares collected at the fair, compared with those of last year are as follows:

	1908.	1907.
Monday	5,045	2,447
Tuesday	3,304	2,208
Wednesday	35,122	18,807
Thursday	32,274	8,012
Friday	10,983	19,103

RELIGIOUS DIFFERENCES CAUSE TRADE RIVALRY

Hebrew Confectioner Observes His Sabbath; Italian Has None, and Is Haled to Court on Forty-Nine Warrants Sworn Out by Rival—Sketch Fit to Go in Vaudeville.

Persistence may get its own reward, but it is often a long time coming, for Charles Schiller, who has sworn out forty-nine warrants against John Bonini, his rival in the confectionery trade, charging him with keeping open on Sunday, is still engaged in that apparently unprofitable business, and has two more cases against Bonini in Police Court to-morrow.

The part these two men have played against each other is well-suited for portrayal behind the footlights, should some master hand take an interest in the little story of their lives. Schiller is a Jew. Bonini is an Italian. They occupy stands, one on the southeast corner and the other on the northeast corner of Third and Baker Streets. Schiller religiously observes the Sabbath on the Gentile's Saturday, and closes his shop on that day.

Bonini has less compunction, and keeps open the seven days, getting a day's more trade than his religious rival.

So Schiller, who believes in living and let live, and in honest dealing, has been in the habit of swearing out these warrants against Bonini for nearly fifty Sundays, but as yet he has gained no profit or lessened that of his rival. As regularly as Sunday comes Bonini opens up and sells thirst-chasers to

all who come his way. Schiller watches him from his window and sees the customers enter the little shop on the corner with ill-concealed chagrin. He chafes a while, and then goes for another warrant. Bonini continues to sell. The case comes up in Police Court, is settled and Bonini opens again. But notwithstanding the rivalry caused by the Sunday trade and loss of it, the two are very good friends during the other six days.

After the last trial in court Schiller was preparing to drive back to his shop when John Bonini called him. "You want to go home?" asked the Hebrew, preparing to whip up.

"You want to go home?" asked the Italian, smiling.

"What you think? I am goin' home for sure."

"Well, I want to go 'long, too," and the Italian's white teeth gleamed pleasantly from between his laughing lips. "Well, come along. Chust hurry up, and we will go together."

The Italian climbed in, and getting into the seat with his rival, said, "What you do now?"

"Swear out another warrant," and he was as good as his word.

But yesterday the Italian said: "He has got me wrong this time. Me no sella to-day. Me no make cent. He got to me wrong this time, sure."

SOME OF THE MEN WHO MADE THE STATE FAIR

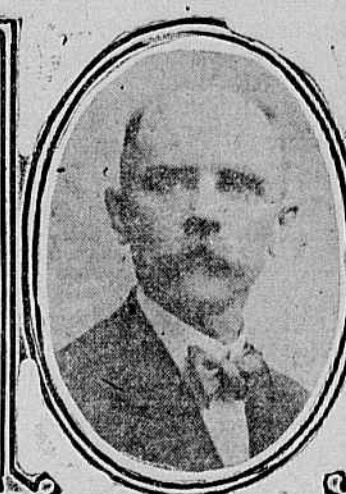


HENRY C. STUART.

SAMUEL COHEN.



J. T. ANDERSON.



L. O. MILLER.



M. C. PATTERSON.

COLLINS'S ACTIONS TOO SUSPICIOUS

Baltimorean Arrested for Attempting to Rob Young Boy.

Clifton Collins, who says he is an electrician and an honest Baltimorean, was arrested last night by Captain Tomlinson and Policeman Tomlinson, as a suspicious character, being suspected of robbing Herbert Richards, of No. 508 North Sixth Street.

Collins's actions were suspicious enough, even if the charge against him is not proved. Somebody living in the house saw him going through the boy's pockets, he declares, and observed other suspicious circumstances.

He was more cheerful yesterday than at any time since the day he killed Murphy and surrendered to Jailer R. C. Garnett, on March 15th. He, as well as his counsel, Mr. Harry M. Smith, are well pleased with the jury's verdict. As a matter of fact, the latter said before the jury reported that he would be satisfied if his client got less than five years.

Immediately after the trial Smith was given assurances that a number of those connected with his trial would be willing to assist him in securing a pardon. After a consultation with his counsel, however, he decided yesterday that he would not attempt to ask the Governor to let him off with less time than his sentence, as the best part of his term would probably be completed before the papers could be prepared, even if all the necessary people consent to sign it.

WAS POLICE MOTORCYCLE

Commissioners Watch With Satisfaction Their Machine Win in Races.

It is, perhaps, not generally known that the motor cycle, which won the race at the Fair Grounds Saturday, is the one owned by the Richmond Police Department. It made the rounds in record time, and its work was observed with deep satisfaction by the commissioners and officers who watched it finish ahead of the field.

The addition of the motor cycle to the department was a very timely one, and many partners were made of it. With the exception of a few breakdowns, which were caused by the first inexperience in handling the machine, the motor cycle has given great satisfaction.

WEEK AT CITY HALL

Board of Aldermen to Hold Important Meeting to-Morrow Night.

After the holidays and enjoyment of State Fair week-Councilmen and city officials will settle down to business this week, an unusually large number of meetings being on the calendar, several of the committees having postponed their sessions from last week rather than break in on the holiday.

The feature meeting of the week will be the Board of Aldermen to-morrow night with the largest docket for new Board has yet faced, including many matters in which the public is greatly interested. The Committee on Relief of the Poor is scheduled for a special meeting at 7:30 P. M. the same night. The contractor and architect for the Colored Almshouse have been asked to be present, and there will be some action in regard to the heating plant which has so far failed to make good.

The subcontractor claims that it is a steam plant, and has been installed according to contract.

Wednesday night the Water Committee will meet to hear further report on the tests of the settling basin flume, and a subcommittee from the Committee on Ordinances, Charter and Reform will be in session at the same hour. Thursday night there are meetings of the committee having postponed their sessions from last week rather than break in on the holiday.

Friday night, the Committee on Streets, Street Cleaning and on Ordinances, Charter and Reform hold regular sessions. The Ordinance Committee had referred to by the last Council, a large number of proposed measures, and its session will no doubt be long and interesting.

HIGHLAND PARK CITIZENS TO HOLD BIG MEETING TO-NIGHT

The regular monthly meeting of the Highland Park Citizens' Association will be held to-night at the town hall at 8:30 o'clock. Much important business is to come before the meeting. It is expected that the plans for the new school building will be on exhibition, and ways and means of getting out the voters to the election on the bond issue, to be held Tuesday, October 27th, will be discussed.

WOULD HAVE SHOT ANY INTERLOPER

John Johnson Utters Dire Threats Against White Men, but Has Only Empty Holster.

Imbued with the fire native to the use of too much corn liquor, John Johnson, a direct descendant of Ham, stationed in front of the residence of Mr. W. R. Akers, in Fairmount, yesterday afternoon that he was going to blow out the brains of any white man who dared to interfere with him. He pulled a pistol holster out, as he addressed his remarks to Junius Booker, and flourished it invitingly to the world. Then began a flow of language which would have surprised a Flanders trooper and several people in the neighborhood heard his disgusting remarks.

Mr. Akers procured Mounted Officers Wright and Perkins, and together they trailed the two negroes until they found them.

Whether the holster had originally contained a pistol, it did not at the time the officers arrived. It held only one bullet and several pawn tickets. In the hip pocket of the other was found a dangerous-looking flask of corn, which explained the negro's ferocity. Both were locked up, in spite of the warning of Junius that he had to feed his team.

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FAKERS LEAVE STARS BEHIND

Midway's Public Entertainers Deserted Here and Left Unpaid.

How much the fancied attractions of circus and smaller tent work really mean to those who use that method of eking out a livelihood would be better known if they would tell all their tales of hardship, days of hunger and desertion, without pay, as fell to the lot of a dozen or more who played to the crowded Midway in the State Fair last week. When the tents were struck Saturday night, and the last peg was pulled before the departure, several men and women were left empty-handed, without even a sou for breakfast. Most of them managed, one way or another, to get out of town and go to some other place for employment, but there are probably a few who were unable to fold their tents like the Arabs and as silently steal away.

Four men went down to the First Station Saturday night, and one complained that they had been left by their managers and had not been paid, and several women stated to the officers at the depot that they had shared the same fate. Some of them enlisted in other shows, but the others had not even that chance.

The city police could not help them, as it is a county matter, and probably the county officials can do so good, as the offense is only a misdemeanor, for which no one can be extradited.

Mr. Stuart to Speak.

Mr. Henry C. Stuart left last night for Grayson county, where he will speak this afternoon. He will spend the time between now and the election in speaking through the different counties of the Southwest.

SMITH READY TO BEGIN HIS TERM

Henrico Prisoner Will Not Ask Governor to Reduce One-Year Sentence.

Silas Smith, convicted of the murder of William Murphy and sentenced on Saturday to one year in the penitentiary, will be removed from Henrico jail as soon as the papers for his transfer can be prepared by Clerk S. P. Waddill, of the Henrico Circuit Court. This will probably be to-morrow or Wednesday. Smith says he is ready to begin his term, and would have it started as soon as practicable.

He was more cheerful yesterday than at any time since the day he killed Murphy and surrendered to Jailer R. C. Garnett, on March 15th. He, as well as his counsel, Mr. Harry M. Smith, are well pleased with the jury's verdict. As a matter of fact, the latter said before the jury reported that he would be satisfied if his client got less than five years.

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ST. PETER'S CARNIVAL TO OPEN WITH LEAZO TO-NIGHT

With music by St. Leo's Band and the Ladies' Imperial Quartet, the carnival for the benefit of St. Peter's Church will open in a blaze of glory at the First Baptist Church this evening at 8:30 o'clock. Introductory speeches will be made by Bishop Augustin Van de Vyver and Father J. J. Bowler, vicar general of the diocese, and pastor of St. Paul's Church. The fair will continue until October 25th.

WANTS HELP FOR "SOBER-DRUNKS"

Dr. Buchanan Says His "Three-Day-Cure" Class Should Be Aided by Citizens.

Dr. James Buchanan, of the Associated Charities, is using his best efforts to get employment for the class of drunks treated with the "three-day" cure in the city jail ten days ago. The men were taken to the Associated Charities building, with the understanding that they should be cared for until employment could be found and the treatment completed. So far he has been successful in securing work for half of the original fourteen. They seem to be good workmen, and give every evidence of being cured.

Only two of the class fell by the wayside, Dr. Buchanan finding that they were cocaine fiends. He gave them names to Justice Crutchfield, saying that he could not be responsible for their conduct. All of the remaining dozen reported at the Associated Charities last night except one, who has been under surveillance on account of unfortunate circumstances existing in his home.

Some of those who have not yet obtained work are fine men, says Dr. Buchanan, and seem to be excellent workmen. There was no charge against them while in jail except that of drunkenness. He asks the people of Richmond to help make them self-sustaining. Application was made for a position for one of them a few days ago, and he was rejected solely on account of the fact that he had been in jail, though only for being drunk. After the treatment is completed Dr. Buchanan will recommend them for sobriety, and feels that the public should co-operate with him.

Of the class treated in the First Baptist Church, Dr. McKenna reports that each one is sober and employed.

WOULD HARMONIZE WORK OF COUNCIL

Board of Public Improvements Suggested to Plan Outline of Greater City.

FRICTION IN DEPARTMENTS

Demand Within and Without the Council for Reduction in Size.

Efforts to harmonize the various departments of the city government, admitted to have been pulling apart to the detriment and expense of the public service, have centered in an ordinance prepared by certain members of the Finance Committee and introduced at the last meeting of the Council by Chairman H. R. Pollard, Jr., to provide for a board of public improvements, whose duty it shall be to originate and outline a comprehensive scheme of civic improvement and make recommendations to the Council along this line from time to time.

Already there is under the charter a "board of public interests," composed partly of citizens and partly of Councilmen, but so hedged about as it with charter requirements and special legislation that it has come to be of very little value, having held no meeting save for the purpose of organization, for more than a year, and having had no matter referred to it by the Council. Under the charter this board has no power to originate and suggest improvements.

Plan Future Development.

The ordinance as introduced by Mr. Pollard, and which will come up before the Committee on Ordinances, Charter and Reform shortly, provides for a board to be composed of the president of the Board of Aldermen, the president of the Common Council and the chairmen of the Committees on Streets, Water and Light, the street bodies which have to do with street work, including sewers, pipes and roadbed. The superintendents of the Water Works, Gas Works and the City Engineer are also named as ex-officio members without the right to vote.

Under the terms of the ordinance, the board is charged with the duty of planning for the future development of the city, the study and preparation of plans and recommendations to the board is authorized to employ temporarily such experts and helpers as may be necessary, the expense to be met out of a contingent fund provided for this purpose.

The creation of the board is especially designed to harmonize the various forms of street work, in order to prevent the tearing up and repaving of the same street year after year, by the separate departments of the city. It is also designed to meet the conditions complained of in the Council of street paving by the ward delegations on the Street Committee in favored localities, the new board, under the plan proposed, being charged with the work of preparing a definite budget or scheme of street improvement for submission to the Council annually or semi-annually, with estimates of the cost.

No Executive Functions.

The board does not take up any of the functions of the present committees, administering no funds and suggesting no construction. It merely recommends general lines of municipal improvement, which, if approved by the Council, are to be carried out by the committees as at present organized, who retain their control of the various departments, with all the powers and duties at present enjoyed.

Already there are indications in the new Council of dissatisfaction with the cumbersome system of city government, and the overlapping of departments, with the inevitable expense and delays attached.

Reduction in Representation.

The last Council rejected a proposed charter change providing for a modified commission system of government. From remarks made on the floor and in private by several members of the Council, the present body will shortly be called upon to go on record for or against a reduction in the number of members of both branches, and a consolidation of several of the most important committees, in the interests of cohesion and organization. Members of the Council who are preparing an ordinance to bring the question of reduction in number to a crisis state that it will be particularly difficult to accomplish under the existing Constitution, and if the experiment does not prove successful, members of the Council state that they will petition to lay before the people an amendment to the State Constitution providing for a more modern system of city administration.

ITALIAN GARDENS AT HOME OF MAJ. J. H. DOOLEY

Landscape Gardeners Make Beautiful Picture at Maymont, on the James River, in Henrico County.

Italian gardens of a style comparing favorably with anything of this kind in the South have been laid out and are now being completed at "Maymont," the home of Major and Mrs. James H. Dooley, in Henrico county. Drawings, photographs and measurements of the best specimens of this character of artistic work abroad have been used by the landscape gardeners in charge of the work, and while not yet complete the gardens give every promise of showing under Virginia skies, on the hills above the falls of the James, the same effects as in the palatial estates of Southern Europe.

It is said that Major Dooley conceived the idea of putting in Italian gardens at Maymont during the summer, while his wife was away from home, and as he had the work partially completed for a surprise on her return, Mrs. Dooley has recently been visiting friends in Staunton, and returned to the city on Saturday.